



# *CITY OF READING*

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## *Code & License Appeals Board*

**Thursday, December 8, 2022**

**3 pm**

**Virtual Meeting**

**Agenda**

**Due to the COVID-19 pandemic the public is prohibited from physically attending the meetings. The meetings can be viewed LIVE while the meeting is taking place via the Zoom link below, via the dial-in phone number and on Facebook. The recordings of the meeting will also be posted on the City's website after the meeting**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://readingpa.zoom.us/j/87033180613?pwd=Qm5ObjFQZXFWMDR6MDM1S0J1Ym50UT09>

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 931 3860

Webinar ID: 870 3318 0613

Passcode: 566463

- I. Call to Order Board Solicitor**
- II. Purpose Board Solicitor**
- III. Overview City Code Chapter 576, Part 13 Motorized Devices and All-Terrain Vehicles - Solicitor**
- IV. Police Department Request for Forfeiture & Destruction of the Seized Vehicle re § 576-1306. Enforcement.**
- V. Board Consideration of the Police Department's Recommendation & Request**
- VI. Adjourn**

## **§ 576-1306. Enforcement.**

**[Amended 10-11-2021 by Ord. No. 74-2021]**

A. Penalties. The penalty for a violation of this section relating to the operation of motorized devices and all-terrain vehicles shall be forfeiture of the vehicle. Automatic forfeiture shall apply to all subsequent violations of this section.

B. Notices of violation and a seizure notice shall be issued by the Police Department. Contested charges shall be resolved, penalties shall be imposed, and payments shall be collected and processed by the Police Department.

C. Seizure. In addition to the notice of violation, whenever a police officer has probable cause to believe a vehicle has been used or is being used in violation of this section, the officer may seize the vehicle. The vehicle shall be stored at a secure location as determined by the Public Works and Police Departments until the final adjudication of the offense.

D. Forfeiture. Forfeiture, other than voluntary forfeiture (as set forth below) by the owner, of the impounded vehicle shall be approved or rejected by the Code and License Appeals Board though an appeal by the defendant or vehicle owner. If an appeal hearing is not requested within ten (10) days of the receipt of the seizure notice, the Police Department shall issue a list of vehicles with a copy of the violation notices and seizure notices to the Code and License Appeals Board for approval or rejection.

(1) If forfeiture is not awarded, the Police Department shall return the vehicle to the owner after:

(a) The owner pays all penalties and fees for the seizure, tow and storage of the vehicle defined herein; and

(b) The owner provides proof of registration, title and proof of insurance.

(2) If forfeiture is awarded, the Police Department shall dispose of the vehicle in an appropriate manner which may include destruction of the vehicle to reduce the opportunity for the vehicle to be used in any manner that would violate this section.

(3) If the Police Department cannot identify the legal owner of the impounded vehicle within 45 days, the Department shall file a request for forfeiture that includes the methods used to determine the ownership of the vehicle with the Code and License Appeals Board. The Board shall approve or reject the request at their next meeting. If the request is approved the vehicle(s) shall be immediately destroyed.

E. Voluntary Forfeiture. Any person to whom a ticket is issued may, if he provides proof that he is the registered owner of the vehicle, within ten (10) days of receipt of the seizure notice, agree to forfeit the vehicle in lieu of contesting the violation and in lieu of other fines and penalties or file an appeal with the Code and License Appeals Board.

## **§ 576-1307 Vehicles Seized Prior to the Effective Date of this Part.**

**[Amended 10-11-2021 by Ord. No. 74-2021]**

Notices of seizure shall be issued to the owners of vehicles that have been seized prior to the effective date of this Part by certified and first class mail notifying the owner that he/she has 30 days to claim the vehicle as per § [576-1306](#) D.(1) above or appeal the seizure to the Code and License Appeals Board as per § [576-1306](#) B. (1) above. Failure to take either action by the owner of the vehicle shall result in the Police Department making a request for forfeiture to the Code and License Appeals Board as per § [576-1306](#) D. (3) above.

Failure to take action shall result in the City of Reading Police Department making a request for the forfeiture of the ATV/Dirt Bike to the Code and License Appeals Board. This may result in the destruction of the ATV/Dirt Bike vehicle.

**City of Reading Code and License Appeals Board  
ATV / Dirt Bike Seizure Appeal Form**

**Name** (print first, middle & last): \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Cell Phone #:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Describe the vehicle that was seized, include year, make, model and VIN or serial number** \_\_\_\_\_  
\_\_\_\_\_

**Attach copies of vehicle's Title, PennDOT or DCNR registration, bill of sale and proof of insurance.**

**State the facts and circumstances, with satisfactory proof, that the vehicle was in someone else's possession and explain how the vehicle came into their possession.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Explain why the vehicle was seized.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I swear under penalty of perjury that all of the information provided is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**





## CITY OF READING, PENNSYLVANIA

POLICE DEPARTMENT  
815 WASHINGTON STREET  
READING, PA 19601-3690  
(610) 655-6116

RICHARD TORNIELLI  
CHIEF OF POLICE

Date:

Name:

Address:

Dear

PHONE: (610) 655-6294

Monday through Friday

8:00 A.M. to 2:30 P.M.

After 2:30 PM leave a message.

If you would like to make an appointment via e-mail  
please send an e-mail to

[trafficlawenforcementunit@readingpa.gov](mailto:trafficlawenforcementunit@readingpa.gov).

Report #: \_\_\_\_\_

Certified Mail #: \_\_\_\_\_

According to the Pennsylvania Department of Transportation records and/or RPD Assignment  
# \_\_\_\_\_ the vehicle listed below is registered/owned by you.

Date of Seizure:

Vehicle Make/Model:

Vehicle Registration:

Vehicle Identification Number:

The vehicle referenced above was impounded by the City of Reading Police department for violations of the City of Reading Traffic Code and/or other code violations. The vehicle is being stored at a City impound facility.

**To claim the vehicle** bring the vehicle's title, registration with PennDOT or the DCNR and proof of insurance to the Desk Sergeant at 815 Washington Street, Reading, PA within **30 days** of this notice.

**To appeal the seizure of the vehicle** return the completed appeal form attached to this notice to the Property Maintenance Division, 815 Washington Street, Reading PA within **30 days** of this notice and a hearing with the Code and License Appeals Board will be scheduled.

**Failure to take either action by the owner of the vehicle shall result in the Police Department making a request for forfeiture to the Code and License Appeals Board which may result in the destruction of the vehicle.**

It is in your best interest to respond to this letter as soon as possible.

Sincerely,

Audra Schreiner  
Administrative Assistant  
Traffic Law Enforcement Unit

ATV/DB-1 (11/21)



FAX: (610) 655-6392 TDD: (610) 655-6442

